

LAWRENCE J. TEKER  
**TEKER TORRES & TEKER, P.C.**

Suite 2-A, 130 Aspinall Avenue  
Hagåtña 96910-5018, Guam  
Telephone: (671) 477-9891  
Facsimile: (671) 472-2601

JOHN E.D. POWELL, WSBA #12941  
**CAIRNCROSS & HEMPELMANN, PS**  
524 Second Avenue, Suite 500  
Seattle WA 98104  
Telephone: (206) 587-0700  
Facsimile: (206) 587-2308

Attorneys for Defendants *Marwan Shipping  
& Trading, Five Seas Shipping Co., LLC,  
and Al-Buhaira National Insurance Co.*

**FILED**  
DISTRICT COURT OF GUAM  
APR - 6 2007  
MARY L.M. MORAN  
CLERK OF COURT

UNITED STATES DISTRICT COURT  
DISTRICT OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARWAN SHIPPING & TRADING CO.,  
FIVE SEAS SHIPPING CO., LLC AND S.J.  
GARGRAVE SYNDICATE 2724, IN  
PERSONAM, NAVIGATORS PROTECTION  
& INDEMNITY, AND AL-BUHAIRA  
NATIONAL INSURANCE COMPANY,

Defendants

AND CROSS-CLAIMS, COUNTERCLAIMS,  
THIRD-PARTY COMPLAINT, AND CLAIM  
IN INTERVENTION.

NO. CIV06-00011

**AGREEMENT OF HEARING DATE**

Complaint Date: April 19, 2006  
Trial Date: Not set

Pursuant to Local Rule 7.1, the parties hereby acknowledge the following:

1. I, Lawrence J. Teker, am one of the attorneys for the Defendants, Marwan Shipping & Trading Company, Five Seas Shipping Company, LLC and Al-Buhaira National

AGREEMENT OF HEARING DATE

CAUSE NO. CIV06-00011 - 1

*Cairncross & Hempelmann, P.S.*

**Law Offices**

524 Second Avenue, Suite 500

Seattle, Washington 98104-2323

Phone: 206-587-0700 • Fax: 206-587-2308

1 Insurance Company (collectively, "Marwan") in this matter. John E.D. Powell, co-counsel for  
2 Marwan, contacted Forrest Booth, counsel for Defendant S.J. Gargrave Syndicate 2724  
3 ("Gargrave") in this action to agree upon a date for oral argument of Gargrave's Motion to  
4 Dismiss Cross-Claim or Alternatively to Stay the Cross-Claim, which date was set for May 14,  
5 2007. The parties now wish to change the oral argument to either May 16<sup>th</sup> or May 17<sup>th</sup>, 2007 at  
6 1:30 pm. to allow for all the attorneys to be present at the hearing.  
7

8 2. The attorneys for the parties are:

9 R. Michael Underhill, Esq.  
10 Mimi Moon, Esq.  
11 Torts Branch, Civil Division  
12 **US Department of Justice**  
13 450 Golden Gate Avenue, Room 7-5395  
14 PO Box 36028  
15 San Francisco, CA 94102-3463  
16 Attorneys for Plaintiff

17 Forrest Booth, Esq.  
18 Ryan Donlon, Esq.  
19 **Severson & Werson**  
20 One Embarcadero Center, 26<sup>th</sup> Floor  
21 San Francisco, CA 94111  
22 Attorneys for Defendant, S.J. Gargrave

23 Thomas M. Tarpley Jr., Esq.  
24 **Tarpley & Moroni LLP**  
25 Bank of Hawaii Building  
26 134 West Soledad Ave., Suite 402  
Hagåtña, Guam 96910  
Attorneys for Defendant, S.J. Gargrave

David Ledger, Esq.  
**Carlsmith Ball LLP**  
Bank of Hawaii Building, Suite 401  
134 West Soledad Avenue  
PO Box BF  
Hagåtña, Guam 96932-5027  
Attorneys for Plaintiff-In-Intervention, Inchcape  
Shipping Services Guam, LLC

AGREEMENT OF HEARING DATE

CAUSE NO. CIV06-00011 - 2

*Cairncross & Hempelmann, P.S.*

*Law Offices*

*524 Second Avenue, Suite 500*

*Seattle, Washington 98104-2323*

*Phone: 206-587-0700 • Fax: 206-587-2208*

3. All of the attorneys have agreed upon the following time and dates: May 16<sup>th</sup> or May 17<sup>th</sup>, 2007 at 1:30 p.m. for the hearing on said Motion.

4. The parties therefore request that the hearing for said Motion be set by the Court for either May 16<sup>th</sup> or May 17<sup>th</sup>, 2007, at 1:30 p.m.

Respectfully submitted this 6<sup>th</sup> day of April, 2007.

**TEKER TORRES & TEKER, P.C.**

By Lawrence J. Teker  
LAWRENCE J. TEKER, ESQ.

**LAWRENCE J. TEKER, ESQ.**

Attorneys for Defendants, , ***Marwan Shipping & Trading Co., Sharjah, Five Seas Shipping Co., LLC, Sharjah, and Al-Buhaira National Insurance Co.***

### AGREEMENT OF HEARING DATE

CAUSE NO. CIV06-00011 - 3

Cairncross &amp; Hempelmann, P.S.

### Law Offices

524 Second Avenue, Suite 500

Seattle, Washington 98104-2323

Phone: 206-587-0700 • Fax: 206-587-2308

**CERTIFICATE OF SERVICE**

The undersigned certifies under the penalty of perjury according to the laws of the United States that on this date I caused to be served in the manner noted below a copy of this document entitled **AGREEMENT OF HEARING DATE** on the following individuals:

R. Michael Underhill, Mimi Moon Torts Branch, Civil Division US Department of Justice 450 Golden Gate Avenue, Room 7-5395 PO Box 36028 San Francisco, CA 94102-3463	Forrest Booth Ryan Donlon Severson & Werson One Embarcadero Center, 26 <sup>th</sup> Floor San Francisco, CA 94111
David Ledger Carlsmith Ball LLP Bank of Hawaii Building, Suite 401 134 West Soledad Avenue PO Box BF Hagåtña, Guam 96932-5027	Thomas M. Tarpley Jr. Tarpley & Moroni LLP Bank of Hawaii Building 134 West Soledad Ave., Suite 402 Hagåtña, Guam 96910
Office of the United States Attorney 108 Hernan Cortez Avenue, Suite 500 Hagåtña, Guam 96910	

☒ Via Messenger  
☒ Via E-mail

DATED this 6<sup>th</sup> day of April, 2007, at Hagåtña, Guam.

  
LAWRENCE J. TEKER

AGREEMENT OF HEARING DATE

CAUSE NO. CIV06-00011 - 4

*Cairncross & Hempelmann, P.S.*

**Law Offices**

524 Second Avenue, Suite 500

Seattle, Washington 98104-2323

Phone: 206-587-0700 • Fax: 206-587-2108